

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHANI SCHEFF, plaintiff as parent and natural
guardian of A.S.; and
CHANI SCHEFF, Individually;

Plaintiffs,

-v-

DAVID C. BANKS, in his official capacity as the Chancellor
of the New York City Department of Education, and the NEW
YORK CITY DEPARTMENT OF EDUCATION,

Defendants.

22 Civ. 7579 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

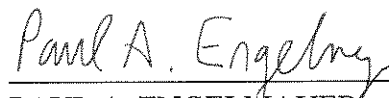
The Court today held a conference in the above-captioned case to discuss plaintiffs' anticipated challenge to a recent decision by the State Review Officer ("SRO") as to the pendency placement for A.S. during the 2022–2023 school year. Both parties intend to move for summary judgment. The parties agree that the principal issues on summary judgment will be whether the SRO properly determined A.S.'s pendency placement. The resolution of that issue, the parties agree, may also bear upon A.S.'s pendency placement for the upcoming 2023–2024 school year. Plaintiffs intend to move on that issue, as well.

In order to enable the Court to resolve the parties' motions before the 2023–2024 school year begins on July 1, 2023, the Court set the following briefing:

- March 31, 2023: the parties are to file the certified administrative record under seal;
- April 14, 2023: plaintiffs' motion for summary judgment is due;
- April 28, 2023: defendants' cross-motion for summary judgment and opposition to plaintiffs' motion for summary judgment are due;

- May 12, 2023: plaintiffs' reply to defendants' opposition and opposition to defendants' cross-motion for summary judgment are due; and
- May 26, 2023: defendants' reply in support of its cross-motion for summary judgment is due.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: March 3, 2023
New York, New York